DETAILED ACTION

Examiner's Amendment

1.   An examiner's amendment to the record appears below. Should the changes
and/or additions be unacceptable to applicant, an amendment may be filed as provided
by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be
submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview
with **Kory Christensen** on **17 May 2010**.

> **Claim 1.** (currently amended) A computer implemented method for managing a
> plurality of subscription <u>packages</u> to online audio stream sources accessible
> through the internet to reduce or avoid redundant online subscriptions paid for by
> a user, the method comprising:
>   electronically receiving, at a processor, information indicative of a request
> by the user for access to a first online audio stream source accessible through
> the internet;
>   determining, using the processor, that the user is denied access to the first
> online audio stream source, wherein the determination that the user is denied
> access is based on a comparison of the first online audio stream source to each
> current online subscription package associated with the user, and wherein the
> comparison indicates that the first online audio stream source is not included in
> any of the current online subscription packages associated with the user;
>   in response to the determination that the user is denied access to the first
> online audio stream source based on the user's current online subscription
> packages, identifying, using the processor, one or more a plurality of upgrade
> packages that would allow the user to access the first online audio stream
> source; determining, using the processor, an undiscounted .upgrade cost
> associated with each of the identified upgrade packages;
>   determining, using the processor, that at least one of the identified
> upgrade packages requires a prerequisite online audio stream source package;

increasing, using the processor, the undiscounted upgrade cost of each identified upgrade package that requires the prerequisite online audio stream source package;

determining, using the processor, wherein for each identified upgrade package the determination of the upgrade cost is based at least in part upon a value associated with a list of required authorizations already possessed by the user, for access to one or more second online audio stream sources included in the identified upgrade packages and the prerequisite online audio stream package;

discounting, using the processor, wherein the upgrade cost associated with each of the identified upgrade packages based on the required authorizations already possessed by the user;

receiving, at the processor, a user selection of one of the identified upgrade packages; and

in response to the user selection, charging the user the discounted cost of the selected upgrade package.

Claim 7. (previously presented) The method of claim 1, wherein identifying one or more upgrade packages includes: determining which of the [[a]] plurality of online audio stream source packages includes a specific authorization required to access the first online audio stream source, thus generating a list of upgrade packages.

Claim 13. (previously presented) The method of claim 7, wherein identifying one or more upgrade packages includes: sorting the list of upgrade packages based on [[an]] a predetermined marketing preference.

Claim 14. (previously presented)The method of claim 7, wherein determining an upgrade cost associated with each of the identified upgrade packages includes: determining an undiscounted cost for [[an]] the upgrade package; and discounting the undiscounted cost based on a value associated with the required authorizations already possessed by the user.

Claim 15. (previously presented) The method of claim 7, wherein determining an upgrade cost associated with each of identified upgrade packages includes: determining an undiscounted cost for [[an]] the upgrade package; and discounting the undiscounted cost based on a promotional discount.

Claim 21. (previously presented) The computer program product of claim 19, wherein the instructions further include determining if [[a]] the user has access to [[an]] the one or more second online audio stream source, wherein the

instructions for determining if a user has access further include instructions for:
accessing [[a]] the datastore record to obtain a list of authorizations possessed
by the user.

Claim 31. (previously presented) The computer program product of claim 24,
wherein the instructions for determining an upgrade cost associated with each of
the identified upgrade packages include instructions for: determining an
undiscounted cost for [[a]] an upgrade package; and discounting the
undiscounted cost based on a value associated with the required authorizations
already possessed by the user.

Claim 32. (previously presented) The computer program product of claim 24,
wherein the instructions for determining an upgrade cost associated with each of
the identified upgrade packages include instructions for: determining an
undiscounted cost for [[a]] an upgrade package; and discounting the
undiscounted cost based on a promotional discount.

Allowable Subject Matter

2.   The following is an examiner's statement of reasons for the indication of

allowable subject matter. Please also review the prosecution history.

3.   The claimed invention is directed to a telecommunication business process used

to determine whether a specific upgrade package is available giving a user access to a

data source via a subscription manager. The invention presents a response to a user

being "denied" access to an online audio stream. The "denied" determination is based

on a comparison of the first online audio stream source to at least one current

subscription package associated with the user. In response to the determination that

the user is denied access to the first online audio stream source, identifying one or more

packages that would allow the user access to the first online audio stream source for a

predetermined period of time. The upgrade cost associated with each of the identified package is determined and discounted for the required authorizations already possessed by the user.

4.   The independent claims 1 and 18 and their dependent claims 2-9, 11-17, 19-26, and 28-34 are allowed because the prior art references used **Messina et al. (US 2002/0065037 a1)** (hereinafter "**Messina**"); and **Marsh et al. (US 6,571,465 B2)** (hereinafter "**Marsh**"); and **Gilliam et al. (US 7,206,765 B2)** (hereinafter "**Gilliam**"), in any combination or individually, failed to teach or render obvious to one of ordinary skill in the art the limitations of claims 1 and 18.

The Messina reference teaches a telematics application for implementation in conjunction with a satellite broadcast delivery system. This system shows approval or disapproval of an item overheard on an audio system. This reference also notes in paragraph 21 that "existing services such as the service sold by Bell South Wireless...In operation, the back channel infrastructure may take data that has come from the client and route it tot the profile database 122 to confirm the customer's data request against his currently enable services". Paragraph 20 notes a PC-radio platform. Paragraph 6 notes that receiver checks to see if customer has access to the service. If customer does not have access the customer can modify his/her subscription. And paragraph 7 notes that customer's personal information is stored on the system. However, the Messina reference does not teach an online stream source and does not discuss a system that deals determining when clients have been denied access to a package.

The Marsh reference teaches a system and method for analyzing wireless communication data for determining an optimal wireless communication service plan. A usage history and plan rates are provided for each user by the telecommunications service provider. However the Marsh system does not teach a system that deals determining when clients have been denied access to a package.

Furthermore, the Gilliam reference teaches a system and method for enforcing, supplying, and managing usage rights based on rules and applying the rules to a determined correspondence between the first rights expression and the second rights expression to determine if the recipient should be granted use of the item. However the Gilliam system does not teach a system that deals determining when clients have been denied access to a package.

The prior art of record do not make a "denied" determination is based on a comparison of the first online audio stream source to at least one current subscription package associated with the user. In response to the determination that the user is denied access to the first online audio stream source, the system identifies one or more packages that would allow the user access to the first online audio stream source for a predetermined period of time. The prior art of record do not determine the upgrade cost associated with each of the identified package is determined and discounted for the required authorizations already possessed by the user.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

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